

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

EARL WHITMIRE,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-09-305-D
)	
PAUL A. KASTNER Warden,)	
)	
Respondent.)	

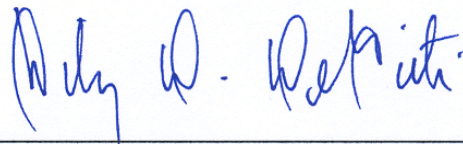
ORDER

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Robert E. Bacharach, recommending the denial of Petitioner's motion to proceed *in forma pauperis*. Within the time period for filing an objection, Petitioner informed the Court of his intention to pay the filing fee and requested additional time to transmit the funds. *See* Response [Doc. No. 6]. Subsequently, the Clerk received payment of the \$5.00 filing fee for the Petition under 28 U.S.C. § 2241.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 5] is adopted to the extent that Petitioner's Motion for Leave to Proceed In Forma Pauperis [Doc. No. 2] is DENIED.

IT IS FURTHER ORDERED that the case is re-referred to Judge Bacharach for further proceedings consistent with the initial case referral [Doc. No. 4].

IT IS SO ORDERED this 17th day of April, 2009.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE